



Emails Dropped Off With Me By Vic Forte
Gary Moore to: Jamie Bradsher, James Turner

05/07/2009 11:40 AM

Please see attached.

Gary Moore
EPA Region 6
Response and Prevention Branch
214-665-6609
moore.gary@epa.gov

----- Forwarded by Gary Moore/R6/USEPA/US on 05/07/2009 11:37 AM -----



Attached Image

Norphlet Chemical to: EVA GREEN, Gary Moore

05/07/2009 11:31 AM



2534_001.pdf

Vic Forte

From: Vic Forte [vrforte@norphletchem.com]
Sent: Thursday, October 02, 2008 12:49 PM
To: Nelson Abell (nelsonabell@comcast.net); Billy Spector (williams@phxequip.com); Brian Brooks; David Henry (dhnorphlet@gmail.com); Evert Talbot; Jesse Spector (jesses@phxequip.com); Jim Crotty (conorphlet@lycos.com); Lindy Long (longbros@seark.net); Robert James; Scott Reed (scottreed@centurytel.net); W. L. Cook (wlcook@cookcpa.com)
Subject: FW: Attached Image
Attachments: 1663_001.pdf

Gentlemen, Thanks again

Vic

From: Norphlet Chemical [mailto:admin@norphletchem.com]
Sent: Thursday, October 02, 2008 11:44 AM
To: Vic Forte
Subject: Attached Image

Victor R. Forte

(b) (6)

El Dorado, Arkansas 71730

October 2, 2008

Norphlet Chemical, Inc. Board of Directors/Executive Committee

Norphlet Chemical, Inc.

600 Macmillan Drive P O Box 100

Norphlet, Arkansas 71759

Gentlemen:

Circumstances require that I resign my position as Vice President Operations, effective October 31 2008. It is with great regret that I leave Norphlet Chemical, Inc. (Norphlet) after almost three years of service. I appreciate the opportunity to work for Norphlet and I have also enjoyed working with the company's professional staff. I will miss my colleagues, as they have become my good friends.

I sincerely hope that Norphlet obtains the necessary funding to maintain professional staff and management in the future.

Due to the nature of the chemical business Norphlet is engaged in, it is necessary to confirm again to the Board of Directors and the Executive Committee, the environmental, health, and safety issues at Norphlet. Some of these are discussed below.

- I urge the Board of Directors and the Executive Committee of Norphlet to confirm or determine as necessary, the contents of each tank and container at the facility. As you know, this task was begun but is not yet complete. The verification of tank and container contents is important to determine content compatibility. Care should also be made in assessing the compatibility of pumps, valves, piping, seals, instrumentation, etc. with their respective construction of materials and contents. This is important, in that Norphlet has had pump failures because of this incompatibility issue. I am confident that even with my departure, the Board of Directors along with the Executive Committee will appoint someone to continue to make these important determinations.
- Following the tank/container verification, environmental regulations require that any material not usable (i.e. waste) be disposed. If the contents are hazardous, then they must be disposed of in accordance with hazardous waste laws and regulations. Therefore, I also urge the Board of Directors and the Executive Committee to determine

Resignation Letter
Victor R. Forte
Page two

if any tank/container contains waste, and dispose of any waste in accordance with state and federal environmental regulations.

- Norphlet has several environmental permits and ongoing compliance issues with the ADEQ, EPA, Homeland Security, DOT, and ADEM. Since I am resigning, the Board of Directors and the Executive Committee should appoint new contacts for the permits and submittals. It is my understanding that some of these submittals are required no matter what financial condition the company is in. I recommend contacting an environmental attorney for council on these matters.

In addition, I have recently received a memo from James Felton (former Norphlet Environmental Health and Safety Manager). His memo outlines in more detail the Environmental Health and Safety requirements and issues of the facility. He has been very helpful with the Environmental Health and Safety compliance at Norphlet, and has a good long-term relationship with the regulatory agencies. I can supply you with a copy of his memo at your request. You may want to contact him directly regarding any environmental health and safety issues.

I will, of course, be contacting the regulatory agencies to inform them of my resignation as Vice President Operations at Norphlet.

I appreciate the opportunities given to me by Norphlet and wish success for all associated with the company.

Sincerely,



Victor R. Forte

Vic Forte

From: Vic Forte [vrforte@norphletchem.com]
Sent: Friday, October 03, 2008 3:22 PM
To: Billy Spector (williams@phxequip.com); Don Dodson ; Evert Talbot; Jesse Spector (jesses@phxequip.com); Jim Crotty ; John Garrison ; Lindy Long (longbros@seark.net); Robert James; Scott Reed (scottreed@centurytel.net); W. L. Cook
Cc: Brian Brooks; David W. Henry; David Nevala; Chuck Cathey
Subject: FW: Attached Image
Attachments: 1665_001.pdf

Gentlemen,

Attached is a letter from James Felton, our former Environmental Specialist, that lists the reports that have been filed with various regulatory agencies on behalf of Norphlet Chemical to date this year and those remaining to be filed before year end. James was an employee of NCI that was laid off in January 2008 and has work for us as consultant until two weeks ago, when his services were terminated by me at the direction of Evert Talbot. I strongly recommend that we keep him as a consultant until the state has taken possession of the property. His knowledge of the state and federal environmental regulatory agencies will prove to be most valuable during this transition. I have also enclosed his last three outstanding invoices. I am simply trying to keep you informed as to what has already been filed and what still needs to be filed. If you have any questions, please call or email.

From: Norphlet Chemical [mailto:admin@norphletchem.com]
Sent: Friday, October 03, 2008 11:57 AM
To: Vic Forte
Subject: Attached Image

Memo

To: Vic Forte, VP Operations

Norphlet Chemical, Inc.

From: James Felton, President



Felton Environmental Services, Inc.

Re: Safety and Environmental Issues

Date: September 25, 2008

This memo is written in response to your phone call of September 23, 2008 in which you said to stop any work that Felton Environmental Services, Inc. is providing for Norphlet Chemical Inc. Due to this, I am sending you this memo to assist you in maintaining compliance with applicable regulations. I have included attachments with information regarding regulatory submittals and issues. The attachments do not list all of the requirements to maintain compliance so you will want to research them yourself. Another source would be Ray Hahn with Jones Hamilton. He has been helpful and knowledgeable. Please look over the attachments and feel free to call me anytime. As we have talked, I know that you are aware that there are environmental and safety issues, reports, and deadlines in the near future. These include submittals to ADEQ, EPA, Homeland Security, DOT, and ADEM. Please Call the Department of Homeland Security as they can assist you in transferring contact and submittal responsibilities to you. They can be reached at 866-323-2957. The Security Vulnerability Analysis is due by December. You may want to contact all of the other regulatory agencies and provide status reports to them. I hope that Norphlet Chemical, Inc. does prosper and maintains regulatory compliance. If there is anything that I can do for you in the future please call.

**Annual EHS&S Requirements
Norphlet Plant**

Requirement	Responsible Person	Complete by	Submit to
Storm Water			
Annual monitoring		July 25	ADEQ
Annual Comprehensive Site Compliance Evaluation		December 31	File
Annual Training		December 31	File
Periodic Visual Site Inspections		As prescribed in SWPPP	File
Annual Fee		As billed	ADEQ
Wastewater			
TBD			
Waste			
Inspection of Hazardous Waste Storage Areas		At least weekly	File
Hazardous Waste Monitoring and Inspection Fee		January 1	ADEQ
Annual Hazardous Waste Generator Report		March 1	ADEQ
The Remedial Action Trust Fund Fee (Superfund Fee)		July 1	ADEQ
Annual Waste Management Training		December 31	File
Community Right-to-Know			
Hazardous Chemical Inventory Report (312)		March 1	SERC, Local Fire Departments, LEPC
Toxic Release Inventory Report (313)		July 1	ADEQ and US EPA
Toxic Release Inventory Report Fee		July 1	ADEQ

**Annual EHS&S Requirements
Norphlet Plant**

Requirement	Responsible Person	Complete by	Submit to
Air			
Daily recording of operating parameters		At least once every 12 hours	File
Monthly records of HF, TCE and natural gas usage		Monthly	File
Annual Emissions Inventory		March 30	File
TSCA			
TSCA IUR Production & Site Report		Every 4 years (2010, 2014, etc.)	US EPA
Compliance Audits			
Annual Environmental Compliance Audit		December 31	File
Emergency Response			
Annual Review of Emergency Response Plan		December 31	File
Annual Training		December 31	File
Transportation			
DOT – Annual Registration		June 30	DOT
DOT – Tri-Annual Training		10/06	File
Security Plan Review		December 31	File
OSHA			
OSHA 300 Log		February 1	Post/File
Annual MSDS Review		March 1	File, Distribution
Lockout/Tagout – Annual Program Review and Certification		December 31	File
Confined Space – Annual Review		December 31	File
PPE – Annual Review		December 31	File

**Annual EHS&S Requirements
Norphlet Plant**

Requirement	Responsible Person	Complete by	Submit to
Respiratory Protection – Annual Review		December 31	File
Fire Prevention – Annual Review		December 31	File
Bloodborne Pathogens – Annual Review		December 31	File
Laboratory Safety – Annual Review		December 31	File
Training Plan for Following Year		December 31	File
Fire Prevention – Annual Training		December 31	File
First Aid/CPR – Bi-Annual Training		December 31 of even numbered years	File
Respiratory Protection – Annual Training & Fit Testing		December 31	File
Forklift – Reevaluation (at least every 3 years)			File
Periodic Safety Compliance Reviews			File
Annual Safety Compliance Audit	3 rd Party		File
Periodic safety Inspections of various equipment and systems		Refer to "Periodic Safety Inspection Summary"	File



RCRA SUBTITLE C SITE IDENTIFICATION

Arkansas Department of Environmental Quality
Hazardous Waste Division
5301 Northshore Dr.
North Little Rock, AR 72118-5317
Phone: (501) 682-0833



FOR STATE USE ONLY

AFIN #: _____ PERMIT NO. _____

MEDIA: HAZARDOUS, SUPERFUND, BROWNFIELDS,
ENFORCEMENT, COMPLIANCE, PERMITTING

DATE: _____

EPA ID Assigned: _____

1. Installation
EPA ID Number

- ☐ To provide initial notification (to obtain an EPA ID Number for hazardous waste, universal waste, or used oil activities).
- ☒ To provide subsequent notification (to update site identification information (Complete EPA #))
- ☐ As a component of a First RCRA Hazardous Waste Part A Permit Application.
- ☐ As a component of a Revised RCRA Hazardous Waste Part A Permit Application
- X As a component of the Hazardous Waste Annual Report.

2. Site EPA ID Number
(see instructions on
page 6)

EPA ID Number: ARD001794445

3. Site Name

Name: Norphlet Chemical, Inc.

4. Site Location
Information
(See instructions on
page 7)

Street Address: 600 MacMillan Drive

City, Town or Village: Norphlet

State: AR

County Name: Union

Zip Code: 71759

Latitude: _____

Longitude: _____

5. Site Land Type
(see instructions on
page 7)

Site Land Type: ☒ Private ☐ County ☐ District ☐ Federal ☐ Indian ☐ Municipal ☐ State ☐ Other

6. North American Industry
Classification System (NAICS)
Code(s) for the Site
(see instructions on page 7)

A. 32512

B. _____

C. _____

D. _____

7. Site Mailing Address
(see instructions on Page 7)

Street or P. O. Box: P. O. Box 100

City, Town or Village: Norphlet

State: AR

Country: USA

Zip Code: 71759

8. Site Contact Person
(See instructions on page 8)

First Name: Victor

MI: R

Last Name: Forte

Phone Number: (870) 546-2253

Ext. _____

Email: vrforte@norphletchem.com

9. Operator and Legal Owner
of the Site
(see instructions on page 8 & 9)

A. Name of Site's Operator:
Norphlet Chemical

Date Became Operator (mm/dd/yyyy)
02/01/2005

Operator Type: ☒ Private ☐ County ☐ District ☐ Federal ☐ Indian ☐ Municipal ☐ State ☐ Other

B. Name and Address of Site's Legal Owner:
Norphlet Chemical, Inc.

Date Became Owner (mm/dd/yyyy)

Owner Type: ☒ Private ☐ County ☐ District ☐ Federal ☐ Indian ☐ Municipal ☐ State ☐ Other

10. Type of Regulated Waste Activity

Mark "Yes" or "No" for all activities: complete any additional boxes as instructed. (See instructions on pages 9 - 12)

A. HAZARDOUS WASTE ACTIVITIES (Complete all parts for 1 through 6)

Y ☒ N ☐ 1. GENERATOR OF HAZARDOUS WASTEIf "Yes," choose only one of the following
a, b, c, d, or e.

- ☒ a. LQG Greater than 1,000 kg/month (2,200 lbs/month)
of non-acute hazardous waste; or
- ☐ b. SQG 100 to 1,000 kg/month (220 - 2,200 lbs/month)
of non-acute hazardous waste; or
- ☐ c. CESQG Less than 100 kg/month (220 lbs/month)
of non-acute hazardous waste.
- ☐ d. NGN No Hazardous Waste Generated
(FACILITY OPERATING)
- ☐ e. CLO No Hazardous Waste Generated
(FACILITY CLOSED)

Date of Closure: _____

Y ☐ N ☒ f. United States Importer of Hazardous WasteY ☐ N ☒ g. Mixed Waste (hazardous and radioactive) GeneratorY ☐ N ☒ h. Provisional Generator Only
(One-Time event such as spill cleanup, etc. Include
description in Comments Section below. Also include
appropriate generator status above)

B. UNIVERSAL WASTE ACTIVITIES

Y ☐ N ☒ 1. LARGE QUANTITY HANDLER OF UNIVERSAL WASTE
(REFER TO REG. NO. 23 TO DETERMINE WHAT IS
REGULATED). INDICATE TYPES OF UNIVERSAL WASTE
GENERATED AND/OR ACCUMULATED AT YOUR SITE.
(If "Yes," mark all boxes that apply):

Managed

- ☐ a. Batteries
- ☐ b. Pesticides
- ☐ c. Mercury Containing Equipment
- ☐ d. Lamps
- ☐ e. Other (specify)
- ☐ f. Other (specify)
- ☐ g. Other (specify)

Y ☐ N ☒ 2. DESTINATION FACILITY FOR UNIVERSAL WASTENOTE: A hazardous waste permit may be
required for this activity.Y ☐ N ☒ 2. TRANSPORTER OF HAZARDOUS WASTE

Transportation Operations

- ☐ For own waste only
- ☐ For commercial purposes
- ☐ Transfer Facility

Y ☐ N ☒ 3. HAZARDOUS WASTE TREATMENT/STORAGE/
DISPOSAL STATUS
(On-Site Treatment, Storage, or Disposal subject to
RCRA permitting)

- ☐ Non-Commercial TSD Unit(s)-Own Waste(s) Only
- ☐ Commercial TSD Unit(s)-Accepts Waste from Off-site

Y ☐ N ☒ 4. RECYCLER OF HAZARDOUS WASTE (at your site)
Note: A hazardous waste permit may be required for
this activity.Y ☐ N ☒ 5. EXEMPT BOILER AND/OR INDUSTRIAL FURNACE

- ☐ Smelting, Melting, and Refining Furnace Exemption
- ☐ Small Quantity On-Site Burner Exemption

Y ☐ N ☒ 6. UNDERGROUND INJECTION CONTROL

C. USED OIL ACTIVITIES (MARK ALL BOXES THAT APPLY)

Y ☐ N ☒ 1. USED OIL TRANSPORTER

If "Yes," mark each that applies

- ☐ a. Used Oil Transporter
- ☐ b. Used Oil Transfer Facility
- ☐ c. Transporter AND Transfer Facility

Y ☐ N ☒ 2. USED OIL PROCESSOR AND/OR RE-REFINER

If "Yes," mark each that applies

- ☐ a. Processor
- ☐ b. Re-refiner

Y ☐ N ☒ 3. OFF-SPECIFICATION USED OIL BURNERY ☐ N ☒ 4. USED OIL FUEL MARKETER

If "Yes," mark each that applies.

- ☐ a. Marketer Who Directs Shipment of Off-Specification
Used Oil to Off-Specification Used Oil Burner
- ☐ b. Marketer Who First Claims the Used Oil Meets the
Specifications

EPA Form 8700-12 (AR-10-07R)

Felton Environmental Services, Inc.
679 Whipoorwill Road Story, AR 71970

Invoice No.

INVOICE

Customer
Name Norphlet Chemical Inc
Address P. O. Box 100
City Norphlet State AR ZIP 71759
Phone

Misc
Date 8/5/2008
Order No
Rep
FOB

Qty	Description	Unit Price	TOTAL
1	Professional Consulting Fees	\$ 4,550.00	\$ 4,550.00

SubTotal \$ 4,550.00
Shipping

Check

Tax Rate(s)

Comments

TOTAL \$ 4,550.00

Office Use Only

July 2008

We appreciate your business!

Felton Environmental Services, Inc.

679 Whippoorwill Road, Story, AR 71970

Invoice No.

INVOICE

Customer
Name Norphlet Chemical Inc.
Address P. O. Box 100
City Norphlet State AR ZIP 71759
Phone

Misc
Date 9/2/2008
Order No.
Rep
FOB

Qty	Description	Unit Price	TOTAL
1	Professional Consulting Fees	\$ 2,850.00	\$ 2,850.00

SubTotal \$ 2,850.00
Shipping

Check
Comments

Tax Rate(s)

TOTAL \$ 2,850.00

Office Use Only

August 2008

We appreciate your business!

Felton Environmental Services, Inc.

679 Whippoorwill Road Story, AR 71970

Invoice No.

INVOICE

Customer

Name Norphlet Chemical Inc
Address P O Box 100
City Norphlet State AR ZIP 71759
Phone

Misc

Date 10/1/2008
Order No
Rep
FOB

Qty	Description	Unit Price	TOTAL
1	Professional Consulting Fees	\$ 3,450.00	\$ 3,450.00

SubTotal \$ 3,450.00
Shipping

Check

Tax Rate(s)

Comments

TOTAL [\$ 3,450.00]

Office Use Only

September 2008

We appreciate your business!